

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| UNITED STATES OF AMERICA | : | |
| | : | ORDER |
| - v - | : | |
| | : | 20 Cr. 592 (PMH) |
| CHARLES MELVIN, | : | |
| | : | |
| Defendant. | : | |
| | : | |
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WHEREAS on or about November 20, 2021, defendant Charles Melvin suffered a stroke;

WHEREAS on December 12, 2021, Mr. Melvin moved, with the Government's consent, for a determination of Mr. Melvin's mental competency, and for the appointment of an expert to conduct a psychiatric or psychological examination and prepare a report, pursuant to 18 U.S.C. § 4241;

WHEREAS on December 14, 2021, the Court issued an order appointing Dr. Jason Krellman, Ph.D., a duly licensed and qualified neuropsychologist, to conduct a neuropsychological examination of Mr. Melvin, to determine whether he can understand the nature and consequences of the proceedings against him and whether he can assist properly in his defense, and further ordered Dr. Krellman to report his findings and conclusions to the Court and the parties;


WHEREAS on or about February 11, 2021, Dr. Krellman submitted to the Court and the parties a report finding, based on an evaluation of Mr. Melvin and a review of his medical records, that Mr. Melvin was competent to assist counsel in his defense and to understand the consequences of the legal proceedings against him;

AND WHEREAS, at a status conference on February 16, 2022, the parties agreed

that Dr. Krellman's report established, by a preponderance of the evidence, that Mr. Melvin is not presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, and that a further hearing on the matter was unnecessary;

IT IS HEREBY ORDERED that, based on the foregoing and on the Court's interactions with Mr. Melvin, the Court finds by a preponderance of the evidence and pursuant to 18 U.S.C. § 4142(d) that Mr. Melvin is able to understand the nature and consequences of these proceedings and to assist properly in his defense, and that he is competent to proceed to trial or otherwise resolve this matter.

Dated: White Plains, New York
February 22, 2022



THE HONORABLE PHILIP M. HALPERN
UNITED STATES DISTRICT JUDGE